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May 2, 2003

The Honorable Susan K. Gauvey
United States Magistrate Judge
United States District Court for the District of Maryland
Northern Division
Garmatz Federal Courthouse
101 West Lombard Street
Baltimore, Maryland 21201

Re: Victoria Williams v. Howard County, Maryland
Civil Action No. L-01-CV-2780

Dear Judge Gauvey:

This is in response to Defendant Howard County's letter to you dated April 30, 2003 requesting resolution of the Court's jurisdiction over Plaintiff's ADA claim of failure to accommodate. The Defendant raised this issue in its first Motion to Dismiss at pages 10-15 of its Memorandum. Plaintiff's Memorandum in Opposition to this motion addresses the issue on pages 28 to 31. The Court's Order dated September 4, 2002 denied Defendant's motion without prejudice to refile as a motion for summary judgment at the close of discovery and did not specifically address the jurisdiction issue. Defendant sent a letter to the Court dated April 22, 2002, deemed a second Motion to Dismiss by the Court. The Court's Order dated March 25, 2003 denied Defendant's second Motion to Dismiss in part, allowing Plaintiff's ADA claim to proceed to discovery.

Based on the Court's two previous Orders, and especially the March 25, 2003 Order, the issue of the Court's jurisdiction over the ADA claim has been fully briefed and resolved and that there is no need for additional discussion of this issue until discovery has been completed.

Respectfully yours,

/S/

Randolph C. Knepper

RCK/tlb
cc: Richard E. Basehoar, Esquire
Ms. Victoria L. Williams

